

REMARKS

In response to the Official Action of July 15, 2003, slight amendment has been made to the specification at pages 11 and 12 and to Figure 7, and claims 1, 4, 7-10, 16-19, 23-25, 28, 33, 36, 39 and 43-47 have been amended, claims 26, 27, 48 and 49 have been cancelled without prejudice, and claims 50-56 have been added. For the reasons set forth below, it is respectfully submitted that the claims of the present application are allowable.

More specifically, referring to page 2 of the Official Action, a claim objection was made with respect to claims 25, 46 and 47. The grammatical error with regard to claim 25 has been corrected by reciting that the computer program further makes a computer execute a procedure as set forth in the claim. With respect to claims 46 and 47, the grammatical errors recited in the Official Action have been corrected. With regard to the objection concerning claims 7-10 as being of improper dependent form for failing to further limit the subject matter of a previous claim, applicant has amended these claims so as to present them in independent form. Support for these claims can be found in the application as originally filed at page 21, lines 25-29; page 11, lines 10-26; and page 20, lines 5-11.

Similarly, the objection to claims 43-45 has been overcome by presenting these claims in independent form. It is respectfully submitted therefore that these claims are in proper form.

Referring now to page 3 of the Official Action, it is respectfully submitted that claims 4, 19-22, 33-35, 39, 46 and 47 are not indefinite under 35 USC §112, second paragraph, in view of the amendment thereof (claims 48 and 49 have been cancelled). With respect to claim 4, the word "display" has been deleted so that there is now proper antecedent basis for the word "device." Regarding claim 19, the antecedent basis rejection concerning the phrase "said median coordinate value" has been corrected by substituting the word "intermediate" for "median." The antecedent basis rejection regarding the phrase "the irregularly spaced, functional display regions" in claim 33 has been corrected by deletion of the word "irregularly." In claim 39, the phrase "the user operable navigation control" to which the Examiner objected has been deleted. Finally, in claims 46 and 47 the antecedent basis for the phrase "irregularly spaced functional display regions" has been

corrected by deletion of the word "irregularly" at the two occurrences at which it appears in both claims.

Referring now to the rejection of claims 1-6, 10-18, 23-26, 28-42, 45 and 46 as anticipated under 35 USC §102(b) in view of U.S. Patent No. 5,510,811 (Tobey et al.) that appears at pages 4-16 of the Official Action, it is respectfully submitted that in view of the amendment to claims 1, 10, 16-18, 23-25, 28, 33, 36, 39 and 45-47, these claims are neither disclosed nor suggested by Tobey et al. As the Examiner points out at page 4 of the Official Action, Tobey et al. discloses an apparatus and method for controlling cursor movement and that the cursor can be used to select "hot spots" which are display regions representative of computer functions, as set forth in Tobey et al. at column 2, lines 47-56. Tobey et al. also describes what it calls "Random Roam mode," whereby a user of a hand-held controller can cause a cursor to move in one of four possible directions in a "uniform incremental manner" as disclosed at column 7, lines 3-25. As set forth therein, if the user momentarily depresses one of the arrow buttons of the four-direction control button 12, the computer causes the cursor to move a short distance in the selected direction. If the user holds one of the arrow button portions of the four-direction control button 12 in a depressed position, the computer causes the cursor to continuously move at a predetermined rate, the rate being dependent upon the application being executed. The Examiner explains that Tobey et al. therefore teaches that a cursor moves a set distance up, down, left or right to a new point on the screen, and that this can be repeated to position a cursor on a hot spot. The Examiner equates the screen positions to the recited "nodes" in claim 1, and therefore concludes that the cursor makes a step movement from one node to another thereof in response to user actuation, with the nodes being arranged in a mesh at the intersection of a first set of spaced lines extending in a horizontal direction and a second set of spaced lines extending in a vertical direction. The Examiner further recites that the hot spots are equivalent to the functional regions recited in claim 1.

It is respectfully submitted that claim 1 as amended sets forth a generating device configured to generate signals for a graphic display in which a focus can be navigated between spaced, functional display regions in a manner which is neither disclosed nor suggested by Tobey et al. More specifically, it is clear from the recited section of Tobey et al. at column 7, lines 3-25, concerning the Random Roam mode that when in this mode, if the user depressed one of the button

portions of the four-direction control button 12, then the computer will cause the cursor to continuously move at a predetermined rate in the selected direction; thus, holding down an arrow button portion of the four-direction control button 12 causes the cursor to move continuously and not necessarily from one node to another adjacent node in response to user actuation. In claim 1 as amended, it is specifically recited that the focus always makes a step movement from one node to another node in response to user actuation, and therefore each node in the movement of the cursor from one node to another is accessible by the cursor in response to user actuation. To the contrary, in Tobey et al., when operating in Random Roam mode, the cursor moves in a continuous fashion at a predetermined rate if it is depressed, without any specific recitation that the cursor moves from node to node. Consequently, unlike the present invention, each node is therefore not necessarily moved to by the cursor. Thus, although Tobey et al. in its description of its Random Roam mode allows incremental movement of the cursor in response to momentary depression of the arrow button portions of the four-direction control button 12, it does not require that each node in a particular direction be moved to by the cursor in a step movement, as required by the generating device of amended claim 1.

Furthermore, claim 1 has been amended to specifically point out and distinctly claim that the nodes are themselves defined on the basis of the locations of the functional display regions. This feature of the present invention is seen in Figure 6 and at page 12, line 13, through page 13, line 18, where mesh lines 14a, 14b, 14c, 15a and 15b are selected so as to pass through functional display regions 13a-13e, with the intersection of these mesh lines defining nodes 16a, 16b, 17b, etc. Thus the nodes as used in the present invention (and as claimed in amended claim 1) are based on the locations of the functional display regions.

Tobey et al. at most shows cursor movements of a uniform incremental manner (see column 7, lines 3-12). If these cursor movements are considered nodes, such nodes in Tobey et al. do not in any way suggest the nodes of the present invention as set forth in amended claim 1, where the nodes are based on the locations of the functional display regions and therefore are not constrained to be uniform incremental distances apart.

Furthermore, if Tobey et al. is operated in the "Tabbing mode" (see column 7, lines 6-7), the cursor moves from hot spot to hot spot, unlike the nodes defined in amended claim 1 which are

located at the intersections of the first and second set of spaced lines (see Figure 6 of the present invention) and which therefore include nodes that are not necessarily located within a functional display region.

For all of the foregoing reasons, it is respectfully submitted that amended claim 1 is neither disclosed nor suggested by Tobey et al.

For all of these reasons it is respectfully submitted that claim 1 as amended is distinguished over Tobey et al. and therefore dependent claims 2-6 are similarly believed to be distinguished over Tobey et al. Furthermore, with respect to amended claim 4, this claim specifically recites that the first set of spaced lines are non-equally spaced, whereas even if as presented by the Examiner the cursor movement in Tobey et al. is arranged in a mesh, these lines are clearly equally spaced lines since there is no mention in Tobey et al. that the cursor movement is unequal in moving in one direction versus another or in moving from one location to another when in the Random Roam mode. In particular, Tobey et al. states at column 6, lines 36-42:

For example, in one screen mode the computer can move the cursor a fixed number of pixels each time the user depresses the function control button. If the computer controlled display is in a magnified mode, for example, the computer may move the cursor a smaller number of pixels each time the user depresses the function control button.

It is clear from this portion of Tobey et al. that the cursor moves a fixed amount each time the user depresses a function control button and that the number of pixels moved is fixed, unlike the recitation regarding the non-equally spaced lines of the first set of spaced lines as recited in amended claim 4.

For similar reasons recited above with respect to amended claim 1, it is respectfully submitted that claim 10 is distinguished over Tobey et al.

Dependent claims 11-15, which all ultimately depend from amended claim 1 are believed to be distinguished over Tobey et al. due to their dependency upon amended claim 1.

With respect to claim 11, this claim further recites additional nodes arranged on another mesh at the intersections of a third set of spaced lines extending in a third predetermined direction and a fourth set of spaced lines extending in a fourth transverse direction, the focus being navigable

between these meshes. The Examiner states that Tobey et al.'s Random Roam mode may be employed on a Microsoft® Windows® operating system, such that a mesh of nodes would be associated with each window displayed on the display and that the cursor may be navigated between first and second windows. There is no showing that Tobey et al. would be used with multiple meshes, even if used with the Microsoft® Windows® operating system. In fact, Tobey et al. at column 2, line 28, through column 10, line 13, does not mention Microsoft® Windows® or the use of multiple windows. Consequently, there is not believed to be any teaching in Tobey et al. of using multiple meshes. Furthermore, there is no teaching in Tobey et al. of the focus being navigable between meshes. Additionally, the reasoning presented by the Examiner with respect to claim 11 appears to be inconsistent with the argument presented with respect to claim 1. With regard to claim 1, the Examiner argues that "[t]he user may specifically move the cursor up, down, left, or right as defined by a Cartesian coordinate system" and that "incremental step movements are defined by a Cartesian co-ordinate system of intersecting vertical and horizontal lines" and further that "the user moves the cursor in incremental step movements about the screen" and that "possible screen positions are...considered 'nodes'." Based upon that argument, there could be only one set of possible cursor positions, and therefore there could be no additional nodes and no further mesh. Therefore, it is respectfully submitted that claim 11 is further distinguished over Tobey et al. Similarly, dependent claims 12-14 are further distinguished over Tobey et al. due to their dependency upon claim 11.

With respect to claim 15, this claim specifies a node disposed on a handle of a scroll bar so as to allow scrolling of a page and to permit selection of functional display regions not presently displayed. Tobey et al. at column 7, lines 57-61, states:

At the end of the scroll bars are opposing direction arrow hot spots 70. To scroll a file vertically in the downward direction, for example, the user focuses on the down arrow hot spot 70 of the vertical scrollbar 66...

A scroll arrow is not a scroll handle, and there is no disclosure providing a node on a position indicator. Therefore, it is respectfully submitted that claim 15 is further distinguished over Tobey et al. For similar reasons, claim 18 is further distinguished over Tobey et al.

Independent claim 16 is believed to be distinguished over Tobey et al. for the same reasons as set forth above with respect to amended claim 1.

Similarly independent claims 17 and 18 are believed to be distinguished over Tobey et al. for the reasons set forth above with respect to amended claim 1.

For similar reasons, independent claims 23, 24 and 25 are believed to be distinguished over Tobey et al. for the reasons set forth above with respect to amended claim 1.

Claim 26 has been cancelled.

Similarly, independent claim 28 is believed to be distinguished over Tobey et al. for the reasons set forth above with respect to amended claim 1.

Moreover, with regard to claims 28-42, Tobey et al. does not disclose supplying another individual directional input in moving the focus to a third node disposed within one of said irregularly spaced, functional display regions so as to enable selection of that region. Tobey et al. does not clearly and unambiguously describe a node being disposed at each of the regions (hot spots). This does not mean that a hot spot cannot be reached, but rather that it may be reached by holding down the button and continuously moving the cursor. Therefore, these claims are further believed to be distinguished over Tobey et al. in addition to the reasons presented above with regard to amended claim 1.

Independent claims 45, 46 and 47 are believed to be allowable for the same reasons set forth above with respect to amended claim 1.

Dependent claim 48 has been cancelled.

Referring now to the rejection of claims 7-9, 27, 43, 44 and 49 as obvious under 35 USC §103 as presented in the Official Action at pages 16-20, it is respectfully submitted that these claims, as amended, are not obvious in view of Tobey et al., further in view of U.S. Patent No. 6,034,689 (White et al.) and, with regard to claims 19 and 20, further in view of U.S. Patent No. 6,317,885 (Fries). Claim 49 has been cancelled.

With regard to claims 7, 8 and 9, each of these claims are now written in independent form, and each incorporate language similar to that of amended claim 1. For similar reasons as presented above with respect to claim 1, these claims are not obvious in view of Tobey et al. further in view of White et al. It is respectfully submitted that White et al. does not make up for the deficiency

discussed above with regard to Tobey et al. since White et al. is simply directed to the device which comprises a television with a "Web TV box" to display and generate web pages. Such a Web TV box does not, in combination with Tobey et al., suggest a multimedia network terminal (claim 7), a set-top box (claim 8), a mobile telephone (claim 9), nor a personal computer (claim 10), which each incorporate the amended language of amended claim 1.

The Examiner at page 16 of the Official Action also rejects claim 27 as being obvious in view of Tobey et al. in combination with White et al., but no specific analysis is presented with regard to claim 27. Claim 27 was originally dependent upon claim 25, and claim 25 has now been amended to recite language which incorporates subject matter of claims 26 and 27, and consequently claim 27 has been cancelled. For reasons presented above, claim 25 is believed to be distinguished over Tobey et al. and the rejection of claim 27 under 35 USC §103(a) is deemed to be moot.

Rejected claims 43 and 44 are now presented in independent form and contain limitations similar to that of amended claim 1, and for reasons submitted therein as well as those presented above with regard to claims 7, 8 and 9 are believed to be distinguished over Tobey et al. further in view of White et al.

With respect to claim 49, this claim has been cancelled in view of the fact that the subject matter contained therein is now incorporated within amended claim 47.

Referring now to the rejection of claims 19 and 20 under 35 USC §103(a), it is respectfully submitted that neither of these claims is obvious in view of Tobey et al., in view of White et al., and further in view of U.S. Patent No. 6,317,885 (Fries). Claim 19 is directed to a method of configuring a mesh, the method comprising determining the minimum and maximum co-ordinate values along a predetermined direction for a first functional display region, determining minimum and maximum co-ordinate values along a predetermined direction for a second functional display region, obtaining an intermediate co-ordinate value in dependence on said values and providing a mesh line defined by the intermediate co-ordinate value. The Examiner states that a mesh is implicitly configured in Tobey et al., yet there is absolutely no discussion in Tobey et al. concerning a mesh whatsoever and in particular the details thereof as set forth in amended claim 19. Furthermore, it is respectfully submitted that a skilled person would not consider either White et al.

or Fries since White et al. is directed to a set-top box and Fries is directed to a personal computer, while claims 19 and 20 are both directed to a method of configuring a mesh. The Examiner relies upon a passage at column 20, lines 23-31, of Fries to support the argument that Fries expresses web pages which undergo a conversion process whereby discrete locations of where the cursor is positioned in response to a user input is predefined, and that this represents a mesh of possible cursor positions. It is not seen how a person of ordinary skill in the art would be motivated to rely upon this one short passage in an overall lengthy specification to incorporate the concept therein with the subject matter of Tobey et al. and White et al., when each of these patents are directed to different types of devices. Absent a showing of such motivation, it is respectfully submitted that the combination of such references is inappropriate. As set out in the MPEP at 706.02(j), the Examiner must establish a *prima facie* case of obviousness, which requires first, that there be "some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings," second, that "there must be a reasonable expectation of success," and third, that the combination made in the Office "teach or suggest all the claim limitations. Furthermore, Fries does not clearly and unambiguously describe the method steps recited in claim 19. The passage recited by the Examiner merely describes that a "jump is pre-decided" (column 20, line 30-31). There is absolutely no disclosure for example concerning determining minimum and maximum co-ordinate values. Moreover, the Examiner states that "...for aesthetic reasons and to aid user comprehension, it is understood that this cursor is placed at the center of each hyperlink" (page 19, lines 21-22) with reference to the method of Tobey et al. and White et al. It is not seen how the placing of a cursor for aesthetic reasons is relevant to the methodology presented in amended claim 19. Furthermore, there is a technical reason why a cursor would not normally be placed in the middle of a hyperlink, since there is usually text located in the center of a hyperlink. Placing the cursor in the middle of the text would normally obscure at least a portion of the text. Furthermore, placing the cursor in the middle of the text would normally make the cursor itself more difficult to see by the user. For all of the foregoing reasons, it is respectfully submitted that claim 19 is not obvious in view of Tobey et al., further in view of White et al. and Fries. Claim 20 is believed to be unobvious due to its dependency upon claim 19.

It is noted that claims 21 and 22 would be allowable if rewritten in independent form. It is respectfully submitted that these claims are allowable in their current dependent form due to the arguments presented above with regard to claim 19 from which both of these claims depend.

New claims 50-56 are also presented herein. Support for these claims includes Figure 6 of the application as filed. Claims 50-53 all depend from amended claim 1 and are therefore believed allowable in view of this dependency.

Claims 54-56 are directed to a method of generating a mesh. These claims are supported by Figures 6, 9 and 12, and the specification at page 15, line 17, through page 18, line 8. For reasons presented above with respect to claim 19, claims 54-56 are believed to be distinguished over the cited art.

Finally, referring now to page 22 and the recitation of references cited in the section entitled "Conclusion," it is respectfully submitted that the prior art made of record on Form PTO-892 and not relied upon in the Official Action of July 15, 2003, do not alone or in combination with each other or the previously cited art disclose or suggest any of the claims of the present application. More particularly, U.S. Patent No. 6,421,828 (Wakisaka et al.) is directed to a program guide display controller and television receiver. Although it is disclosed that a cursor can be moved quickly between program guides which are adapted to contents set by a user on a program guide screen, there is no disclosure or suggestion of the overall concept of a plurality of spaced nodes, where the nodes are defined based on the locations of functional display regions, wherein a focus or cursor makes a step movement from one node to another node thereof in response to user actuation with functional display regions being disposed in the display and at least one node being disposed in each of those regions. It is therefore not believed to be suggestive of the present invention as claimed.

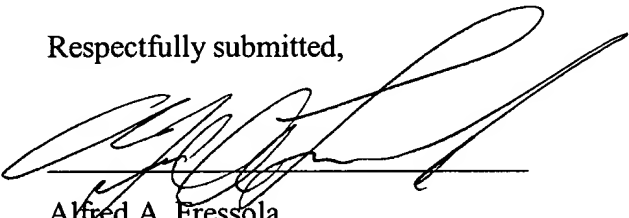
U.S. Patent No. 6,339,440 (Becker et al.) discloses a method and apparatus for positioning a cursor on a display in which a user may move a cursor to any position on the display from its current position. There is no suggestion of nodes and the locations of these nodes, wherein some of the nodes are resident in display regions that are individually selectable through use of a focus and wherein the focus makes a step movement from one node to another node in response to user actuation.

Finally, U.S. Patent No. 6,137,487 (Mantha) is directed to a method and apparatus for manipulating graphical objects in a data processing system and specifically for providing visual queues for a graphical object displayed on a graphical user interface in a data processing system. In particular, it is directed to the display of a graphical object in a first state in which the graphical object includes text in a first color and a graphical object being displayed in a second state in response to a pointer being placed and displayed on the graphical object. Although it is also directed to a process for navigating graphical objects in which a pointer is displayed on a graphical object then the pointer moves from one graphical object to another in response to manipulation of the pointing device, the movement from object to object is disclosed as being a jump from one graphical object to another rather than in a movement from node to node in response to manipulation of the pointing device. It also does not suggest the location of nodes in a manner as disclosed and claimed herein. As such, this reference is believed to teach away from the subject matter of the present invention as claimed.

For all of the foregoing reasons, it is respectfully submitted that the present application as amended is in condition for allowance, and such action is earnestly solicited.

The Examiner is invited to contact applicant's attorney at the number below if there are any questions.

Respectfully submitted,



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